

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

June 30 - July 4, 1997

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-30	OPP	85,876	Home Care Holdings, Inc. v. Care Enterprises, Inc.	Simms* Quinn Walters	2(d); whether applicant has used its mark in connection with services rendered "in commerce"	Opposition Sustained [on 2(d) ground only]	"CARE HEALTH SERVICES" [providing health care services in the home]	"CARE HOME HEALTH" [providing health care services in the home]			No
7-2	EX	74/049,538	G. A. Modefine S.A.	Simms Cissel* Walters	whether applicant's specimens show use of its mark in connection with the services recited in its application; whether applicant's proposed amendment of its recitation of services is permissible	Refusal Affirmed (on both grounds)		"GEORGIO ARMANI" ["retail store services in the field of clothing"; <i>proposed amendment: "retail store services, namely, directing, coordinating and supervising conduct of retail establishments including providing financial accounting and bookkeeping services, coordinating purchase of merchandise and distribution of inventory and supervising implementation of marketing and advertising strategy"</i>]		Milton	No
7-2	EX	74/532,347	Bacardi & Co. Ltd	Sams Quinn Walters*	2(e)(3)	Refusal Reversed		"LITTLE HAVANA" [rum and rum specialty drinks]		Reihner	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

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7-2	EX	74/426,733	Sunbeam Corp.	Rice Simms (D) Seeherman*	whether the matter asserted for registration functions as an inherently distinctive trademark	Refusal Affirmed [but refusal will be set aside upon submission of new drawing with functional features represented in dotted lines]		configuration of the base portion of an electric blender [electric food blenders for domestic use]		Cole	No
7-3	OPP	91,754	Rudolf Wild GmbH & Co. KG v. Trans-National, Inc.	Simms Seeherman* Walters	2(d)	Opposition Dismissed	"CAPRI SUN" et al. [fruit drinks]	"CALIFORNIA SUN" [cola and other carbonated soda beverages]			No

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